IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

Con.Case(C).No. 866 of 2007(S)

(NON-COMPLAINCE OF THE JUDGEMENT IN WPC.191/2006 DATED 03.08.2006)

PETITIONERS/ 1ST & 2ND RESPONDENT IN W.P.(C)
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1. MES 124302 SHRI VI SADANANDAN
   ASSISTANT ENGINEER (QS&C)
   GARRISON ENGINEER (I) E/M, NW
   KOCHI-682004

2. MES/111600 SHRI K.V.JAMES
   ASSISTANT ENGINEER (QS&C)
   GARRISON ENGINEER (I) R&D
   KOCHI-
   PRESENTLY WORKING IN THE
   OFFICE OF GARRISON ENGINEER (AF)
   LOHOGAON,
   PUNE, MAHARASHTRA

   BY ADV. SRI.C.P. SAJI
   ADV. SMT.P.DEEPTHI

RESPONDENTS/RESPONDENT NOS. 3 TO 6::
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1. MR.SEKHAR DUTT,
   (FATHER'S AND AGE
   NOT KNOWN TO THE PETITIONERS)
   SECRETARY,
   MINISTRY OF DEFENCE
   SOUTH BLOCK, NEW DELHI-110011

2. MR.S.P.GAUR,
   (FATHER'S NAME AND AGE NOT KNOWN TO THE PETITIONERS)
   SECRETARY,
   UNION PUBLIC SERVICE COMMISSION
   DHOLPUR HOUSE,
   SHAJAHAN ROAD,
   NEW DELHI-110011

3. LIEUTENANT GENERAL B.S.DHALIWAL,
FATHER'S NAME AND AGE NOT KNOWN TO THE PETITIONERS,
ENGINEER-IN-CHIEF,
ARMY HEAD QUARTERS,
KASHMIR HOUSE,
DHQ, POST OFFICE,
NEW DELHI-110011

BY ADV. SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR
SRI.TPM.IBRAHIM KHAN,SENIOR PANEL COUNSEL

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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CONTEMPT CASE (C) No. 866 OF 2007

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Dated this the 22nd October, 2007

J U D G M E N T

H.L. Dattu, C.J.:

Alleging that the respondents have not complied with positive direction issued by this Court in W.P.(C) No. 191 of 2006 dated 03.08.2006, the complainant is before us in this Contempt Case filed under sections 11 and 12 of the Contempt of Courts Act read with Article 215 of the Constitution of India.

2. Notice of this Contempt Case was ordered to be issued and served on the respondents. They have entered appearance.

3. The learned Addl. Solicitor General, Shri P. Parameswaran Nair, appearing for the respondent Nos. 1 and 3, on instruction, would submit that the respondents shall comply with the orders and directions issued by this court, within a period of two months from today and therefore, requests this court that further proceedings in the Contempt Case may be dropped for the present.

4. An affidavit of undertaking, in this regard is also filed by the respondents. The said affidavit of undertaking is placed on record.

5. In view of the undertaking given by Shri P. Parameswaran Nair, learned Addl. Solicitor General appearing for respondent Nos. 1 and 3, in our opinion, we need not have to proceed with this Contempt Case. Accordingly, we pass the following:

O R D E R

i) Further proceedings in this Contempt Case are dropped for the present.

ii) The affidavit of undertaking filed by respondent Nos. 1 and 3 is placed on record.

iii) Respondent Nos. 1 and 3 are granted two months' time from today to comply with the orders and directions issued by this Court in W.P.(C) No.191 of 2006 dated 03.08.2006.

iv) Liberty is reserved to the complainant to approach this Court, if need arises in future.

v) All other contentions of both the parties are left open.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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